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Trustee for the SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adversary Proceeding

No. 08-01789-JMP

**NOTICE OF PRESENTMENT OF PROPOSED ORDER GRANTING TRUSTEE'S
MOTION FOR AUTHORITY TO RETAIN SPECIAL COUNSEL *NUNC PRO TUNC* AS
OF JANUARY 15, 2009 AND OPPORTUNITY FOR HEARING**

PLEASE TAKE NOTICE that upon the motion (the "Motion") of Irving H. Picard, Esq. as trustee (the "Trustee") for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (the "Debtor") for authority to retain Lovells LLP as special counsel *nunc pro tunc* as of January 15, 2009, the undersigned will present the proposed order (the "Order") submitted herewith to the Honorable Burton R. Lifland, United States Bankruptcy Judge, for signature and entry on February 18, 2009 at 12:00 noon.

PLEASE TAKE FURTHER NOTICE, that any objections to the Order must be
(a) filed in accordance with the electronic filing procedures for the United States Bankruptcy
Court for the Southern District of New York, with a proof of service, and a courtesy copy
delivered to the chambers of the Honorable Burton R. Lifland, One Bowling Green New York,
New York 10004 and (b) served upon on Baker & Hostetler, LLP, Counsel for the Trustee, 45
Rockefeller Plaza, New York, New York 10111, Attn: David Sheehan and Richard Bernard, by
no later than 12:00 noon on February 18, 2009.

PLEASE TAKE FURTHER NOTICE, that unless a written objection to the Order,
with proof of service, is filed with the Clerk of the Court and a courtesy copy is delivered to the
chambers of the Honorable Burton R. Lifland by no later than 12:00 noon on February 18, 2009,
there will not be a hearing and the order may be signed.

PLEASE TAKE FURTHER NOTICE, that if a written objection is timely filed, a
hearing on the motion and Order will be held before the Court on February 24, 2009 at 10:00
a.m. The moving and objecting parties, if any, are required to attend the hearing, and failure to
attend in person or by counsel may result in the requested relief being granted or denied upon
default.

Dated: New York, New York
February 2, 2009

By: /s/David J. Sheehan
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